

Applicant or Patentee: Robert R. Granados, Gary W. Blissard
and Guangyun Lin

Serial or Patent No.: _____

Filed or Issued: March 3, 2000

Attorney's

Docket No: BTI-44

Title: "STABLE CELL LINES RESISTANT TO APOPTOSIS AND NUTRIENT STRESS AND METHODS OF MAKING SAME"

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION : Boyce Thompson Institute For Plant Research, Inc.

ADDRESS OF ORGANIZATION: Tower Road, Ithaca, New York 14853

TYPE OF ORGANIZATION

UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))

NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED OF AMERICA: (NAME OF STATE _____)

(CITATION OF STATUTE _____)

WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3) IF LOCATED IN THE UNITED STATES OF AMERICA

WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA:

(NAME OF STATE _____)

(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled "STABLE CELL LINES RESISTANT TO APOPTOSIS AND NUTRIENT STRESS AND METHODS OF MAKING SAME"

By inventor(s) Robert R. Granados, Gary W. Blissard and Guangyun Lin described in:

the specification filed herewith

application serial number , filed

patent number , issued

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organi under 37 CFR 1.9(e). * NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.

NAME

ADDRESS

INDIVIDUAL SMALL BUSINESS CONCERN NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, and patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Joyce Frank

TITLE OF PERSON SIGNING: Vice President of Operations
Boyce Thompson Institute For Plant Research, Inc.

ADDRESS OF PERSON SIGNING: Tower Road, Ithaca, New York 14850

SIGNATURE Joyce Frank DATE 3/3/00

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

- My residence, post office address and citizenship are as stated below next to my name.
- I believe I am an original, first and joint Inventor of the subject matter which is claimed and for which a patent is sought on the Invention entitled "STABLE CELL LINES RESISTANT TO APOPTOSIS AND NUTRIENT STRESS AND METHODS OF MAKING SAME", the specification of which

[X] is attached hereto

[] was filed on as

[] United States Application Number

[] PCT International Application Number

- I hereby state that I have reviewed and understand the contents of the above-identified application, including the claim and the drawing.
- I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR §1.56. If this application claims priority from a prior application, I acknowledge the duty to disclose information which is material to patentability, as defined 37 CFR §1.56, which became available between the filing date of the prior application and the date of this application.
- As to the subject matter of this application:
 - a. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof;
 - b. I do not know and do not believe that the same was ever patented or described in any printed publication in any country before my invention thereof, or more than one year prior to the date of this application;
 - c. I do not know and do not believe that the same was in public use or on sale in the United States of America more than one year prior to the date of this application; and
 - d. Said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to the date of this application.

Please associate this application with USPTO Customer Number 020808

- I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Michael F. Brown, Reg. No. 29,619

L. George Legg, Reg. No. 34,208

Christopher A. Michaels, Reg. No. 34,390

Thomas T. Aquilla, Reg. No. 43,473

- Address all telephone calls to Christopher A. Michaels at telephone number 607-256-2000
 - Fax communications should be sent to telephone number 607-256-3628
 - E-mail communications should be addressed to: bpm@bpmlegal.com

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file"

- Address all correspondence to:
Brown, Pinnisi and Michaels, P.C.
400 M&T Bank Building-118 North Tioga Street
Ithaca, New York 14850-4343

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first Inventor: Gary Blissard
Residence: Ithaca, New York 14850
Citizenship: USA
Post Office Address: 208 Eastern Heights Drive, Ithaca, New York 14850

Gary W. Blissard 3/2/00
Gary W. Blissard Date

Full name of second joint Inventor: Robert R. Granados
 Residence: Ithaca, New York 14850
 Citizenship: USA
 Post Office Address: 5 Eagle Head Road, Ithaca, New York 14850

Robert R. Granados 3-3-00

Full name of third joint Inventor: Guangyun Lin
Residence: Ithaca, New York 14850
Citizenship: P.R. China
Post Office Address: 301 Maple Ave. #A6, Ithaca, New York 14850

Guangyun Lin 3-3-00
Guangyun Lin Date